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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/617,055

07/09/2003

Alex Lee

3767

25859

7590

07/25/2006

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EXAMINER

EBIRIM, EMEKA

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/617,055	Applicant(s) LEE ET AL.	
	Examiner Emeka Ebirim	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) 14-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Status

1. This communication is responsive to the Amendments filed on May 24, 2006.

The application has been fully examined. Claims 14 -16 are rejected as detailed below and are pending in this Office Action.

Election/Restrictions

2. Claims 1-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 5/24/06.

Response to Arguments

Claim Rejections - 35 USC § 103

3. Applicant's arguments with respect to claims 14-16 of the present application have been fully considered but are not persuasive. The examiner respectfully traverses applicant's arguments.

With respect to claim 14 the Applicants argue that the reference does not disclose "displaying a magnified graphic ... large scale graphic". The Examiner respectfully submits that the combination of Lowry and Beatty discloses the claimed limitation. Lowry discloses it as levels or hierarchies of multiple successive graphical displays, which are presented to the user depending on the users selection. These

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displays correspond to the users information of interest [See Lowry Fig 11 Col 6 lines 19-23, Col 7 lines 55-59, Col 2 lines 35-39]. Beatty also discloses graphical representation at different levels of detail, which includes among others the actual physical layout of a factory at different levels of details down to the shop floor detail [See Beatty Fig 6-8, Col 2 lines 1-22].

The applicant further argues that the reference does not disclose “refreshing and displaying the two graphics according to selections”. The Examiner respectfully submits that the combination of Lowry and Beatty discloses the claimed limitation. Lowry discloses it as the results of the user selecting each of the nodes is that the display action is executed and the required graphics rendered to the user. Each selection, results in a new (fresh) display of graphics [Lowry Col 6 lines 51-60]. The user can change previously selected node by clicking on or otherwise selecting it [Col 7 lines 15-20].

The examiner notes that applicant does not limit the arguments on the original elements of the claims but rather applicant relies on the claim elements as amended.

In light of the foregoing arguments, the 103 rejections as applied to claims 14-15 hereby sustained. The same reasoning is applied to independent claim 16 and thus merits the applied rejections.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pat No: 6,128,617 to David D. Lowry (hereinafter Lowry) in view of Pat No 6,336,063 to Robert A. Beatty (hereinafter Beatty).

Claim 14.

Lowry discloses:

A method for monitoring material on shop floors comprising the following steps:

selecting a position from a large scale graphic (hierarchical graphics (large scale graphics)) [See Lowry, Col 7 lines 55-67, Col 2 lines 35-40, Fig 11];

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displaying a magnified graphic depending on the position selection on the large scale graphic (levels or hierarchies of multiple successive graphical display are presented to the user) [Fig 11 Col 6 lines 19-23, Col 7 lines 55-59];

refreshing and displaying the two graphics according to selections on the two graphic (active nodes) [Fig 12, Col 4 lines 66-67-Col 5 lines 1-5, Col 6 lines 51-54];

connecting with a central database to read relevant data on the two graphics (retrieval of information from a database that contains graphical information) [Col 2 lines 33-35, Fig 3];

integrating and classifying the relevant data (integrating and listing of related information) [See Lowry, Col 8 lines 33-34, Col 4 lines 34-39, Fig 7A-B]; and

generating a table specific to the two graphics based on the integrated and classified data [See Lowry, Col 8 lines 35-44, Col 2 lines 45-50].

Lowry discloses the elements of claim 14 as disclosed above, but it does not explicitly indicate "shop floors" Beatty discloses the claimed "shop floors" [see Beatty abstract].

It would have been obvious to one of ordinary skill in the art to have combined the two references because shop floors as disclosed by Beatty would have allowed Lowry's teaching to track, control and report information related to the operation of a factory.

Furthermore it would have enabled Lowry to more efficiently track, inventory, production and hours of labor.[See Beatty Col 1 line 15-25].

Claim 15.

The combination of Lowry and Beatty discloses the element of claim 14 as indicated above and furthermore Beatty discloses, wherein the graphic is one of a global graphic of a company, a graphic of a country, a graphic of a subsidiary company, and a graphic of a workshop [Graphics for different locations See Beatty, Col 1 line 45-49, Fig 6-8].

Claim 16.

Lowry discloses:

A method of monitoring material on shop floors of workshops of subsidiary companies of an enterprise, comprising the steps of:

selecting a country from a large scale graphic displaying regional production worldwide by country of the enterprise [See Lowry, Col 2 line 20-24,35-40, Col 6 line 55-67, Fig 5B];

providing a magnified graphic for displaying regional production of the selected country (levels or hierarchies of graphical display) [See Lowry, Fig 11 Col 2 line 20-24,35-40,Col 6 lines 19-23, Col 7 lines 55-59];

tabling integrated data from a database to specify the production information of the selected country [See Lowry, Col 8 lines 35-44, Col 2 lines 45-50];

selecting one of said subsidiary companies from the magnified graphic [See Lowry, Col 6 line 55-67, Col 2 lines 39-44];

refreshing the large scale graphic to display the selected country and the magnified graphic to display the selected one of said subsidiary companies (active nodes) [Fig 12, Col 4 lines 66-67-Col 5 lines 1-5, Col 6 lines 51-54];

tabling integrated data from the database to specify the production information of the selected one of said subsidiary companies [See Lowry, Col 8 lines 35-44, Col 2 lines 45-50];

selecting one of said workshops from the magnified graphic [See Lowry, Col 6 line 55-67, Col 2 lines 39-44];

refreshing the large scale graphic to display the selected one of said subsidiary companies and the magnified graphic to display the selected one of said workshops [Fig 12, Col 4 lines 66-67-Col 5 lines 1-5, Col 6 lines 51-54, Col 7 15-20];

tabling integrated data from the database to specify the production information of the selected one of said workshops [See Lowry, Col 8 lines 35-44, Col 2 lines 45-50];

selecting a product line from the magnified graphic [See Lowry, Col 6 line 60-67-Col 7 line 1-3];

refreshing the large scale graphic to display the selected one of said workshops and the magnified graphic to display the selected product line [Fig 12, Col 4 lines 66-67-Col 5 lines 1-5, Col 6 lines 51-54, Col 7 15-20]; and

tabling integrated data from the database to specify the production information of the product line [See Lowry, Col 8 lines 35-44, Col 2 lines 45-50].

Lowry discloses the elements of claim 16 as disclosed above, but it does not explicitly indicate "shop floors" Beatty discloses the claimed "shop floors" [see Beatty

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abstract] and also discloses (graphical representation at different levels of detail) [See Beatty Col 2 lines 1-22].

It would have been obvious to one of ordinary skill in the art to have combined the two references because shop floors as disclosed by Beatty would have allowed Lowry's teaching to track, control and report information related to the operation of a factory.

Furthermore it would have enabled Lowry to more efficiently track, inventory, production and hours of labor.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emeka Ebirim whose telephone number is 571-272-3994. The examiner can normally be reached on 8:30pm - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emeka Ebirim can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Name: Emeka Ebirim
Art Unit: 2166


KHANH B. PHAM
PRIMARY EXAMINER